



San Diego County Sheriff's Department Arrest/Juvenile Contact Report

Case No. **18145951**CAD Event No.: **E5208131**Case Disposition: **Arrest**Primary Victim: **State of California**Report No. **18145951.1****1**

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**ARREST REPORT****JUVENILE CONTACT REPORT**WARRANT: ☐ LOCAL ☐ OUT**GENERAL CASE INFORMATION**

Primary Charge: 148 (A)(1) - PC - OBSTRUCT/RESIST PEACE OFCR/EMER MED TECH (M)			
Special Studies:		Related Cases:	
Location, City, State, ZIP: 661 Sweetwater Rd, Spring Valley, CA 91977		Occurred On: 09/05/2018 09:02:00 (Wednesday)	
Jurisdiction: Rancho San Diego Uninc - SPRING VALLEY	Beat: 629	Call Source: DEPUTY	(and Between):
Means:		Motives:	

VICTIM/S**IBR/UCR OFFENSE/S**

Offense Description: 148 (A)(1) - PC - OBSTRUCT/RESIST PEACE OFCR/EMER MED TECH (M)		Level: M	Against:	Completed? Yes	Counts	Using:
Location Type: 182 - Parking Lot		Hate/Bias: 88 - None (No Bias)			Domestic Violence: No	
Criminal Activity:	Type Security:	Gang Related: No	Entry:	Point of Entry:		
Weapons/Force:	Tools:	Targets:				
Offense Description: 3056 - PC - VIOLATION PAROLE:FELONY		Level: F	Against:	Completed? Yes	Counts	Using:
Location Type: 182 - Parking Lot		Hate/Bias: 88 - None (No Bias)			Domestic Violence: No	
Criminal Activity:	Type Security:	Gang Related: No	Entry:	Point of Entry:		
Weapons/Force:	Tools:	Targets:				

ARRESTEE/S**Arrestee #1**

Name: Malben, Anthony Edward	County Residence: R - Resident	Interpreter Language:
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Name Type: Alias/AKA										First: Anthony		Middle: Edward		Last: Malbon		Suffix:	
Home Address, City, State, ZIP: (b)(5)(A)										Res. Country: US		Place of Birth: (b)(5)(B)		Undocumented:			
Race: W	Sex: M	Date of Birth / Age: (b)(5)(A) - 31		Height: 6' 3"	Weight: 210	Hair Color: BRO	Eye Color: BRO	Facial Hair: 05 - Goatee and Mustache		Complexion: LGT - Light							

Reporting Officer SH0255 - GASPAR, NICHOLAS	Division / Organization Rancho San Diego Station RANCHO SAN DIEGO PATROL	Reviewed By SH1561 - HETTINGER, MICHAEL
Report Date 9/5/2018 10:20:57 AM	Detective Assigned SH0890 - ADAMS, ZACHARIAH	Reviewed Date 09/06/2018 16:19:02



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Hair Style: S - Straight	Hair Length: N - Neck	Build: M - Medium	Teeth: 1 - Normal	Suspected User: Yes
Employment Status: U - Unemployed	Occupation/Grade:	Employer/School:	Employer Address, City, State, ZIP:	
CONTACT INFORMATION:				
Type:		Number/Address:		
IDENTIFICATION:				
Type: SSN - SSN	Number: (b)(5)(A)	State:	Country: US	
Type: FBI - FBI No.	Number: (b)(5)(A)	State:	Country: US	
Type: CII - CII Number	Number: (b)(5)(A)	State:	Country: US	
Type: CDC - CA Dept of Corrections	Number: (b)(5)(A)	State:	Country:	
SCARS, MARKS, TATTOOS, ODDITIES:				
Attire:		Suspect Actions:		
ARREST INFORMATION				
Arrest Type: T - Warrant/Probable Cause Arrest - Existing Case	LE Disposition: 4 - Felony (Adult Only)	JUS 750 Type: 2 - Booked	Citation No.:	Booking No.: 18156671
Arrested For: 148 (A)(1) - PC - OBSTRUCT/RESIST PEACE OFCR/EMER MED TECH (M) 3056 - PC - VIOLATION PAROLE:FELONY			Level: M	Completed: Yes
			F	Yes
Arrested By: SH0255 - GASPAS, NICHOLAS	Arrest Date and Time: 09/05/2018 09:18:00	Arrest Location, City, State, ZIP: 661 Sweetwater Road, Spring Valley, CA 91977		Beat: 629
Arrest Assisted By: SH3497 - NARANJO, LISETT		Transported By: SH3278 - DALY, SEAN		
Miranda Read: No	Admonished By:	Miranda Response:	Jail Billing Code: SD Sheriff's Office	Booked Location: San Diego Central Jail
Armed With: 01 - Unarmed		Use of Force to effect Arrest:		
JUVENILES				
Adult Present:	Person Notified:	Juvenile Disposition:	Detention Name:	
Parents Notified By:	Notification Method:	Date and Time Notified:	Juvenile Released To:	
RELEASE INFORMATION				
Released Location:	Released On:	Released By:	Release Reason:	

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SUSPECT/S (Not Yet Arrested) WITNESSES

OTHER ENTITIES

PROPERTY

Property Item #1.000 - CD with Photos

Derivative No.: 0	Property Category: 1311 - Recording - Interview or Case related - Video/Photo CD, DVD, Tape, Film, Digital storage, Negative		
Status: ES - Evidence (Seized)	Count: 1	Value:	
Manufacturer:	Model:		
Serial No.:	Model Year:	OAN:	
Color:	Caliber:		
Body Style:	Recovered/ Seized Date: 09/05/2018		
Owner:	Disposition:		
Evidence Tag:	Alert(s):		
Drug Type:	Drug Quantity:		
Search Warrant:			
Notes:			

Property Item #2.000 - Blue backpack with misc items

Derivative No.: 0	Property Category: 2401 - Backpack		
Status: SS - Safekeeping (Seized)	Count: 1	Value:	
Manufacturer:	Model:		
Serial No.:	Model Year:	OAN:	
Color:	Caliber:		
Body Style:	Recovered/ Seized Date: 09/05/2018		
Owner:	Disposition:		
Evidence Tag:	Alert(s):		
Drug Type:	Drug Quantity:		
Search Warrant:			
Notes:			

Property Item #3.000 - BWC

Derivative No.: 0	Property Category: 1306 - Body Camera Video		
Status: I - Information Only	Count: 7	Value:	
Manufacturer:	Model:		
Serial No.:	Model Year:	OAN:	
Color:	Caliber:		
Body Style:	Recovered/ Seized Date:		
Owner:	Disposition:		
Evidence Tag:	Alert(s):		
Drug Type:	Drug Quantity:		
Search Warrant:			
Notes: Gaspar naranjo Olguin Hankard Sgt. hettinger Daly Serrato			

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REPORT NARRATIVE

SYNOPSIS:

On 9/5/2018, Anthony Malben was consensually contacted walking in front of the Rite Aid at 661 Sweetwater Road in Spring Valley. During the contact Malben began to display signs and symptoms of being under the influence of a controlled substance. A records check confirmed Malben was a parolee at large with assaultive tendencies and had several felony warrants from states outside of California. While attempting to arrest and restrain Malben in handcuffs, he refused to turn around and kept his arms and hands tensed and clenched together, preventing deputies from being able to successfully place handcuffs on his wrists.

Force was ultimately used to successfully detain Malben. Malben was arrested for 3056 PC- Parole Violation and 148(a)(1) PC- Resisting Peace Officer.

Malben was transported by paramedics to Scripps Mercy Hospital and treated for head injuries sustained during the incident. Malben was admitted to the hospital in the custody of Sheriff's Deputies from the San Diego Central Jail.

There is body worn camera footage from this incident.

ORIGIN:

On 9/5/2018, at about 0902 hours, I observed a male subject walking through the parking lot of 661 Sweetwater Road in Spring Valley (CAD # E5208131). The subject appeared to be wearing dirty clothing and struggling to maintain balance as he walked.

BACKGROUND:

None.

INVESTIGATION:

I consensually contacted the subject who identified himself as Anthony Malbon (Later corrected to Malben).

Malben did not appear to be obviously under the influence and never asked me if he was free to leave. Malben told me he was a transient in the area and had never been arrested and was not on probation or parole. I was unable to find any identifying information matching Malben's name through local databases and facial recognition software. Malben refused to give consent for me to search his property and said he did not have any form of identification in his possession.

I told Malben I was having difficulty finding any identifying records with his name, and he said, "You can look me up by my social security number if you want."

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A records check through Malben's social security number returned a parole database entry with the last name spelling of Malben, and an alias last name of Malbon. The parole information also provided an accurate photo picture of Malben along with tattoo descriptors (b)(5)(C)

(b)(5)(C)

While waiting for the response on a records check of Malben, he stated, "I think I need to call the police" and stood still with his eyes closed. I observed Malben's eyes rapidly fluttering behind his eyelids. When Malben opened his eyes I observed his pupils were constricted. I recognized these signs to be common symptoms of a person who is under the influence of a controlled substance.

I was informed by dispatch that Malben was a Parolee at Large and had an active no bail want for his arrest with notes of being a high risk individual with assaultive tendencies. Dispatch also advised me of several felony warrants out of the state of Virginia.

Based on my training and experience, I know it is common for transients in the Spring Valley area to commonly possess concealed weapons and knives along with other potentially dangerous drugs and paraphernalia. Due to Malben's disheveled appearance and his admission to being transient in the area, as well as the officer safety information I received from Dispatch, I determined it was likely Malben was in possession of a dangerous weapon. Additionally, Malben had not been searched or patted down for weapons during my contact with him.

I instructed Malben to turn around and place his hands behind his back. Malben stood still and said, "Why?"

I told Malben he was under arrest and he continued to stay still. I approached Malben and turned his body away from me and pushed him up against a wall. Malben had his hands placed tightly behind his back with his hands balled into fists and gripping each other. I felt instantly that Malben's arms and upper body were tensed and rigid. I was unable to separate his hands from each other or away from his body to place handcuffs on his wrists.

Deputy Naranjo (3497) assisted with keeping Malben's right arm secure behind his back and lifting Malben's backpack off of his lower back. See Deputy Naranjo's Deputy Report for more details.

I gave Malben several commands to relax his hands and I told him if he did not relax his hands he would end up on the ground. Malben did not respond to any of my commands and kept his hands clenched together and his arms tensed for about 1 minute after I forced him against the wall.

I was able to pull Malben's right arm away from his body and secure a handcuff to his wrist, but as I attempted to secure the handcuff around his left wrist, he began to pull his hands apart and force his arm outward, preventing me from being able to successfully secure his left wrist.

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To prevent Malben from freeing his left arm and using it to reach for a weapon, or use it as a weapon along with the handcuff attached to his right wrist, I grabbed Malben by his jacket and forced him from the standing position to the ground behind us. Malben landed on his stomach and I was able to successfully secure his hands behind his back with handcuffs.

Had I not used force to turn Malben against the wall, and then to the ground, he may have been able to escape, break free, or use his hands to punch myself or deputy Naranjo. Malben also may have been able to reach for an unknown weapon on his person, or use the handcuff attached to his right wrist as a weapon.

Malben landed on his stomach and struck his head on the ground. I observed blood on the ground and immediately called for the fire department to respond for medical assistance. Malben was snoring and appeared in and out of consciousness. Deputy Naranjo and I kept Malben on his side in the recovery position as he regained consciousness.

Malben became uncooperative on the ground and began twisting and thrashing his body, and kicking his legs and bringing his knees up to his chest. In order to prevent Malben from kicking me or anyone else, and to prevent him from getting up onto his knees, I used my hands and knees to place downward pressure onto his legs. As Malben continued to kick his legs and spread them apart, I used my department issued cord cuff to tightly secure Malben's ankles together. Had I not used force to control Malben's legs, he may have been able to kick me or another deputy or paramedic on scene, or could have brought his knees to his chest and gotten up onto his knees. Once paramedics were able to medicate Malben and calm him down, I was able to release pressure from his legs. Sergeant Hettinger (1561) arrived on scene after Malben was restrained in handcuffs and being treated by paramedics.

San Miguel Engine 16 and paramedics AMR 256 arrived on scene and medicated Malben with a sedative due to his erratic behavior. Malben was transported by paramedics to Scripps Mercy hospital for his head injuries with Deputies Serrato (4079) and Daly (3278).

Malben was admitted to the hospital with a laceration to his right eye, a broken right orbital bone and a brain bleed. Deputies from the San Diego Central Jail were notified about Malben being at the hospital, they arrived at the hospital and took custody of Malben. Corporal Serrato and Deputy Daly brought Malben's booking paperwork and property to the San Diego Central Jail where he was booked for 3056 PC - Parole Violation and 148(a)(1) PC - Resisting a Peace Officer.

As a result of the incident, I sustained bruising and swelling to my right thumb and was treated at US Healthworks.

I was wearing my department issued Body worn camera during this contact, and Deputies Naranjo, Hankard (1216), Olguin (0194), Daly, Serrato and Sgt. Hettinger were on scene with their department issued body worn cameras.

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Throughout this incident, photos were taken of Malben and the scene to be copied to a disc and entered into evidence. Photos were also taken of me and my injured thumb.

Malben's backpack was collected and stored at the Rancho San Diego Station in safekeeping.

The Chesapeake Sheriff's Office was contacted regarding his Felony warrant out of their jurisdiction and notified of his arrest in San Diego County.

EVIDENCE:

1 CD with photos
2 Blue Backpack

INJURIES:

Malben sustained a laceration to his right eye, a fractured orbital bone and a brain bleed.
Deputy Gaspar sustained a bruised and swollen right thumb.

PROPERTY DAMAGE:

None.

FOLLOW-UP:

To be determined by assigned Detective.

RELATED REPORTS:

Deputy Naranjo's Deputy Report.

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San Diego County Sheriff's Department Officer Report

CAD Event No. **E5208131**Case No. **18145951**Report No. **79525****1**

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GENERAL CASE INFORMATION

Special Studies:		Related Cases:	
Location, City, State, ZIP: 661 Sweetwater Road, Spring Valley, CA 91977		Occurred On: 9/5/2018 9:17:00 AM (Wednesday)	
Jurisdiction: Rancho San Diego Uninc - RANCHO SAN DIEGO	Beat: 629	Call Source:	(and Between):

INDIVIDUAL/S

Name: Malben, Anthony Edward				Person Code:		Interpreter Language:			
ALIAS / AKA / NICKNAME / MONIKER:									
Name Type: Alias/AKA		First: Anthony		Middle: Edward		Last: Malbon		Suffix:	
Home Address, City, State, ZIP: (b)(5)(A)				Res. Country: US - UNITED STATES		County Residence: R Resident		Undocumented:	
Race: W	Sex: M	Date of Birth / Age: (b)(5)(A) - 31	Height: 6' 3"	Weight: 210 lbs	Hair Color: BRO	Eye Color: BRO	Facial Hair: 05 - Goatee and Mustache	Complexion: LGT - Light	
Employment Status: U - Unemployed		Occupation/Grade:		Employer/School:		Employer Address, City, State, ZIP:			

CONTACT INFORMATION**IDENTIFICATION:**

Type: SSN - SSN	Number: (b)(5)(A)	State:	Country: US - UNITED STATES		
Type: FBI - FBI No.	Number: (b)(5)(A)	State:	Country: US - UNITED STATES		
Type: CII - CII Number	Number: (b)(5)(A)	State:	Country: US - UNITED STATES		
Type: CDC - CA Dept of Corrections	Number: (b)(5)(A)	State:	Country:		
Attire:		Injury: Yes	Extent Of Treatment: 4 - Hospitalized	Violent Crime Circumstances:	
Subject Injury Description:					
Officer Injury Description:					

REPORT NARRATIVE

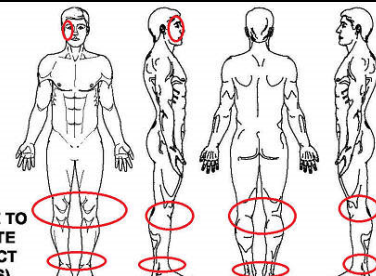
See Narrative in Arrest Report.

Reporting Officer SH0255 - GASPAR, NICHOLAS	Division / Organization RSD_PAT / RSD - Rancho San Diego Station	Reviewed By SH1561 - HETTINGER, MICHAEL
Report Date 9/5/2018 6:00:03 PM	Detective Assigned SH0890 - ADAMS, ZACHARIAH	Reviewed Date 9/12/2018 12:33:40 PM



San Diego County Sheriff's Department

Use of Force Supplemental

UFO DATE AND TIME 9/5/2018 09:17	EVENT NUMBER E5208131	CASE NUMBER 18145951	DOCUMENT NUMBER 79525	STATION/FACILITY RSD - Rancho San Diego Station
INCIDENT DESCRIPTION / OFFENSES A/R 3056 PC / 148(a)(1) PC - Malben, Anthony				
SUBJECT'S NAME (LAST, FIRST, MI) Malben, Anthony Edward		DATE OF BIRTH (b)(5)(A)	ARRESTED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	SUPERVISOR PRESENT <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
DATE/TIME SUPERVISOR NOTIFIED 09/05/2018 09:18				
REASON(S) FOR USING FORCE: <input checked="" type="checkbox"/> Necessary to effect an arrest <input type="checkbox"/> Necessary to prevent a violent forcible felony <input type="checkbox"/> Delaying Jail Operations <input type="checkbox"/> Necessary to defend self or another <input type="checkbox"/> Necessary to restrain for subject's safety <input checked="" type="checkbox"/> Necessary to prevent escape/evasion <input type="checkbox"/> Necessary during high-risk incident <input checked="" type="checkbox"/> Necessary to effect a lawful detention <input type="checkbox"/> Necessary during riot				
SUBJECT APPEARED TO BE <input checked="" type="checkbox"/> Under the influence of alcohol and/or drugs <input type="checkbox"/> Mentally impaired		NUMBER OF OFFICERS ON SCENE 2		NUMBER OF OFFICERS USING FORCE 1
LEVEL(S) OF RESISTANCE ENCOUNTERED <input type="checkbox"/> NONE (subject cooperated/complied) <input checked="" type="checkbox"/> PSYCHOLOGICAL INTIMIDATION (non-verbal cues indicating subject's attitude or physical readiness to resist) <input checked="" type="checkbox"/> VERBAL NON-COMPLIANCE (subject's expressed unwillingness to comply with the officer's commands) <input checked="" type="checkbox"/> PASSIVE RESISTANCE (represents by a refusal to respond to verbal commands but also offers no form of physical resistance) <input checked="" type="checkbox"/> ACTIVE RESISTANCE (pushing, pulling or running away from the officer to avoid control; not attempting to harm the officer) <input type="checkbox"/> ASSAULTIVE BEHAVIOR (physical actions of assault) <input type="checkbox"/> AGGRAVATED ACTIVE AGGRESSION (potential injury or death)				
LAW ENFORCEMENT TOOL/TECHNIQUE USED TO GAIN COMPLIANCE OR OVERCOME RESISTANCE (CHECK ALL THAT APPLY) <input checked="" type="checkbox"/> Verbal Commands: Turn around; Relax your hands; youre going to end up on the ground if you dont relax your hands <input checked="" type="checkbox"/> Empty Hand Control <input checked="" type="checkbox"/> Grab, Push, Pull, or Body Weight <input type="checkbox"/> Control Hold (Duration:) <input type="checkbox"/> Pressure Point (Duration:) (# of Contacts:) <input type="checkbox"/> Strike (Body part used:) (# of Contacts:) <input checked="" type="checkbox"/> Takedown Type: grabbed upper body with hands and <input type="checkbox"/> Carotid (Rendered Unconscious? <input type="checkbox"/> Yes <input type="checkbox"/> No) (Duration:) <input checked="" type="checkbox"/> Tool/Device/Weapon <input type="checkbox"/> OC Agent (Duration:) (# of Contacts:) <input type="checkbox"/> Decontaminated <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Cord Cuff Restraint Device (Duration: 20 minutes) <input type="checkbox"/> Impact Weapon (# of Contacts:) Type: _____ <input type="checkbox"/> Canine (Duration:) (# of Contacts:) <input type="checkbox"/> Vehicle/Forcible Stop <input type="checkbox"/> Weapon Pointed at Subject (Duration:) Type: _____ <input type="checkbox"/> Spit Sock (Duration:) <input type="checkbox"/> Pro-Strait Chair <input type="checkbox"/> Tactical Shield <input type="checkbox"/> WRAP <input type="checkbox"/> Less-Lethal Weapon System <input type="checkbox"/> PepperBall - OC Powder <input type="checkbox"/> PepperBall - Water <input type="checkbox"/> 37 mm Rifle - Standard <input type="checkbox"/> 37 mm Rifle - Low Energy <input type="checkbox"/> 40 mm Rifle - Bean Bag <input type="checkbox"/> 40 mm Rifle - Sponge <input type="checkbox"/> Taser - Probes <input type="checkbox"/> Taser - Drive Stuns <input type="checkbox"/> Stingball Grenade <input type="checkbox"/> Sound/Light device <input type="checkbox"/> 12-Gauge Super Sock <input type="checkbox"/> Ultron/NOVA Shield <input type="checkbox"/> REACT Belt <input type="checkbox"/> Firearm <input type="checkbox"/> Type: _____ <input type="checkbox"/> Other: _____				
WAS INITIAL USE OF FORCE EFFECTIVE? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
WAS ADDITIONAL CONTROL OR FORCE NEEDED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
SUBJECT INJURED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		EXTENT OF TREATMENT <input type="checkbox"/> None <input type="checkbox"/> Treated at hospital <input type="checkbox"/> Treated at scene <input checked="" type="checkbox"/> Hospitalized <input type="checkbox"/> Refused treatment		
SUBJECT INJURY DESCRIPTION		OFFICER(S) INJURED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
		EXTENT OF TREATMENT <input type="checkbox"/> None <input checked="" type="checkbox"/> Treated at hospital <input type="checkbox"/> Treated at scene <input type="checkbox"/> Hospitalized <input type="checkbox"/> Refused treatment		
OTHER FORCE USED/COMMENTS/EQUIPMENT PERFORMANCE: Gaspar 0255		 MARK FIGURE TO INDICATE CONTACT POINT(S)		
SERGEANT		ARJIS	DATE	
LIEUTENANT		ARJIS	DATE	
CAPTAIN		ARJIS	DATE	



San Diego County Sheriff's Department

Use of Force Supplemental

Use of Force Supplemental Instructions

Lines 1 & 3: Fill in the blanks.

Line 2: If the suspect was committing a crime and force was used to stop or apprehend the subject, document the appropriate penal code. If the UOF occurred in the performance of the officer's duties, document the incident description, i.e. officer transport, officer escort, making arrest, detaining suspect, cell extraction etc.

Primary Reason for Using Force: Check appropriate box(s).

Subject Appeared To Be: Check if applicable.

Number of Officers on Scene: List number of officers present.

Number of Officers Using Force: List number of officers that used force.

Level(s) of Resistance Encountered: Check appropriate box(s).

L.E. Tool/Technique Used: Check appropriate box(s). If known and/or applicable, include duration (approximate length of time) tool/technique was used. If known and/or applicable, include the number of contacts (approximate number of strikes, impacts, etc.) when requested on form.

Was Initial Use of Force Effective? If initial force used was effective, check "Yes." If initial force used was ineffective and additional force was necessary, check "No."

Was Additional Control or Force Needed: If initial force used was ineffective and additional force was necessary, check "Yes." If initial force used was effective, check "No."

Target Distance: If applicable (refers primarily to less lethal weapon systems), approximate distance or provide range (i.e. 7-15 feet, 15-20 yards, etc.) from subject during application of force.

Subject Injured: Check "Yes" if medically treated for injury sustained as a possible result of force applied by a officer(s) – does not include previous injuries suffered prior to officer contact. Check "No" if subject was not injured or simply complains of injury/pain suffered as a result of force applied by an officer(s) and refuses medical attention. Any complaints of pain shall be documented in the use of force report narrative (whenever any physical force used by a officer results in a complaint of injury or an injury that necessitates medical treatment of a subject, a supervisor will be notified immediately).

Extent of Treatment: Check appropriate box. Check none if subject was evaluated and no treatment was required. Specifically, check "Treated at Scene" if subject was treated at scene by EMS for injuries that may have resulted due to force applied by officer(s). Check "Treated at Hospital" if subject was transported to hospital for treatment of injuries that may have been sustained as an apparent result of force applied by officer(s). Check "Hospitalized" if subject was admitted to the Hospital as a result of injuries that were sustained as a result of force applied by officer(s).

Officer Injured: Check appropriate box (see above).

Extent of Treatment: Check appropriate box. Check none if officer was evaluated and no treatment was required. Specifically, check "Treated at Scene" if officer was treated at scene by EMS for injuries. Check "Treated at Hospital" if officer was transported to hospital for treatment of injuries. Check "Hospitalized" if officer was admitted to the Hospital as a result of injuries.

Other Force Used/Comments/Equipment Performance: This section can be used to document other force options not listed on the form; relevant comments about the incident such as complaints of pain/injury (room permitting) and negative/positive comments regarding equipment performance.

Mark Figure to Indicate Contact Points: When applicable, mark the areas on the figure where applied force contacted the subject's body.

Sergeant: Sign, list ARJIS number and date reviewed.

Lieutenant: Sign, list ARJIS number and date reviewed.

Captain: Sign, list ARJIS number and date reviewed.



San Diego County Sheriff's Department Officer Report

CAD Event No. **E5208131**Case No. **18145951**Report No. **79506****1**

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GENERAL CASE INFORMATION

Special Studies:		Related Cases:	
Location, City, State, ZIP: 661 Sweetwater Rd, Spring Valley, CA 91977		Occurred On: 9/5/2018 9:02:00 AM (Wednesday)	
Jurisdiction: Rancho San Diego Uninc - RANCHO SAN DIEGO	Beat: 629	Call Source:	(and Between):

INDIVIDUAL/S

Name: Malben, Anthony Edward				Person Code:		Interpreter Language:			
ALIAS / AKA / NICKNAME / MONIKER:									
Name Type: Alias/AKA		First: Anthony		Middle: Edward		Last: Malbon		Suffix:	
Home Address, City, State, ZIP: (b)(5)(A)				Res. Country: US - UNITED STATES		County Residence: R Resident		Undocumented:	
Race: W	Sex: M	Date of Birth / Age: (b)(5)(A) - 31	Height: 6' 3"	Weight: 210 lbs	Hair Color: BRO	Eye Color: BRO	Facial Hair: 05 - Goatee and Mustache	Complexion: LGT - Light	
Employment Status: U - Unemployed		Occupation/Grade:		Employer/School:		Employer Address, City, State, ZIP:			
CONTACT INFORMATION								IDENTIFICATION:	
Type: SSN - SSN		Number: (b)(5)(A)		State:		Country: US - UNITED STATES			
Type: FBI - FBI No.		Number: (b)(5)(A)		State:		Country: US - UNITED STATES			
Type: CII - CII Number		Number: (b)(5)(A)		State:		Country: US - UNITED STATES			
Type: CDC - CA Dept of Corrections		Number: (b)(5)(A)		State:		Country:			
Attire:				Injury: Yes		Extent Of Treatment: 4 - Hospitalized		Violent Crime Circumstances:	
Subject Injury Description:									
Officer Injury Description:									

REPORT NARRATIVE**ORIGIN:**

I provided cover for Deputy Gaspar who contacted a male at 661 Sweetwater Road in Spring Valley (CAD 5208131).

DEPUTY'S OBSERVATIONS AND ACTIONS:

I arrived on scene at around 0905 hours. Deputy Gaspar had contacted a male, later identified as Anthony Malben. Malben showed the signs and symptoms of being under the influence of a controlled substance. Deputy Gaspar attempted to track Malben's heart rate for a field sobriety test. Malben refused to let Deputy Gaspar take his pulse. Deputy Gaspar used Sheriff's inquiry to run Malben's name for wants and warrants. I listened to the dispatcher's read back. The dispatcher advised Malben had a felony warrant and was considered violent. Malben also had several out of state warrants. Deputy Gaspar asked Malben to turn towards the wall. Malben stood still and did not face the wall. Deputy Gaspar and I stepped towards Malben and turned his body towards the wall. Malben had his hands behind his back. I was on Malben's right side and Deputy Gaspar was to Malben's left side. Deputy Gaspar started to place handcuffs on Malben. I used my right hand to hold onto Malben's right arm. I used my left hand to lift up the backpack Malben was wearing to make it easier for Deputy Gaspar to handcuff Malben. Malben tightened up his hands into a closed fist which made it difficult for Deputy Gaspar to handcuff him. Deputy Gaspar and I told Malben several times to relax his hands. Malben did not comply with our verbal commands and he continued to stiffen his hands into a closed fist. Deputy Gaspar secured one handcuff to Malben's right wrist. I told Malben he needed to relax his hands or he could get hurt. Malben continued to keep a closed fist, therefore Deputy Gaspar could not secure Malben's left wrist in a handcuff. Deputy Gaspar and I told Malben again to relax his hands. I used my left hand to squeeze Malben's upper right arm to use pain compliance on him. Malben did not respond to the pain compliance. I used pain compliance force on Malben in order to affect an arrest. Malben was not responding to our verbal commands to relax his hands. Malben's left hand was not secure in a handcuff at the time I used pain compliance. If I had not used force, Malben could have escaped from us or assaulted us.

Reporting Officer SH3497 - NARANJO, LISETT	Division / Organization RSD_PAT / RSD - Rancho San Diego Station	Reviewed By SH2184 - POCKLINGTON, DAVID
Report Date 9/5/2018 10:43:32 AM	Detective Assigned SH0890 - ADAMS, ZACHARIAH	Reviewed Date 9/16/2018 3:32:58 AM



San Diego County Sheriff's Department Officer Report

CAD Event No. **E5208131**

Case No. **18145951**

Report No. **79506**

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Deputy Gaspar requested additional units to our location. Malben continued to resist our verbal commands and pain compliance. Deputy Gaspar threw Malben's body towards the ground. Malben landed stomach down on the ground. I knelt down on the right side of Malben's body next to his legs. Deputy Gaspar secured Malben's left hand in handcuffs. Deputy Gaspar asked Malben if he needed medical attention. I looked over Malben's left shoulder and saw he was bleeding from his face. An ambulance was requested to our location. We placed Malben on his right side in the recovery position. I heard Malben was making snoring noises. Malben started to move his body around. I used both my hands to place downward pressure on Malben's left arm to keep him from moving his body. We told Malben to stay still. Malben was not responding and he appeared to be in medical distress. Malben began yelling and forcefully moving his body around. Malben turned his body and he was not lying on the left side of his body. I used both my hands to place downward pressure on Malben's right arm and shoulder to prevent Malben from moving. Malben continued yelling and moving his body. I continued to place downward pressure of Malben's left arm and shoulder until paramedics arrived on scene. I used downward pressure on Malben to prevent further injury to him and to the deputies on scene. Malben had a head injury, and he could have caused further injury while he forcefully moved his body. If I had not used force, Malben could have caused further injury to himself and to deputies.

Reporting Officer SH3497 - NARANJO, LISETT	Division / Organization RSD_PAT / RSD - Rancho San Diego Station	Reviewed By SH2184 - POCKLINGTON, DAVID
Report Date 9/5/2018 10:43:32 AM	Detective Assigned SH0890 - ADAMS, ZACHARIAH	Reviewed Date 9/16/2018 3:32:58 AM



San Diego County Sheriff's Department

Use of Force Supplemental

UFO DATE AND TIME 9/5/2018 09:02	EVENT NUMBER E5208131	CASE NUMBER 18145951	DOCUMENT NUMBER 79506	STATION/FACILITY RSD - Rancho San Diego Station
INCIDENT DESCRIPTION / OFFENSES A/R 3056 PC / 148(a)(1) PC - Malben, Anthony				
SUBJECT'S NAME (LAST, FIRST, MI) Malben, Anthony Edward		DATE OF BIRTH (b)(5)(A)	ARRESTED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	SUPERVISOR PRESENT <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
DATE/TIME SUPERVISOR NOTIFIED 09/05/2018 09:45				
REASON(S) FOR USING FORCE: <input checked="" type="checkbox"/> Necessary to effect an arrest <input type="checkbox"/> Necessary to prevent a violent forcible felony <input type="checkbox"/> Delaying Jail Operations <input type="checkbox"/> Necessary to defend self or another <input checked="" type="checkbox"/> Necessary to restrain for subject's safety <input checked="" type="checkbox"/> Necessary to prevent escape/evasion <input type="checkbox"/> Necessary during high-risk incident <input type="checkbox"/> Necessary to effect a lawful detention <input type="checkbox"/> Necessary during riot				
SUBJECT APPEARED TO BE <input checked="" type="checkbox"/> Under the influence of alcohol and/or drugs <input type="checkbox"/> Mentally impaired		NUMBER OF OFFICERS ON SCENE 2		NUMBER OF OFFICERS USING FORCE 1
LEVEL(S) OF RESISTANCE ENCOUNTERED <input type="checkbox"/> NONE (subject cooperated/complied) <input type="checkbox"/> PSYCHOLOGICAL INTIMIDATION (non-verbal cues indicating subject's attitude or physical readiness to resist) <input checked="" type="checkbox"/> VERBAL NON-COMPLIANCE (subject's expressed unwillingness to comply with the officer's commands) <input checked="" type="checkbox"/> PASSIVE RESISTANCE (represents by a refusal to respond to verbal commands but also offers no form of physical resistance) <input checked="" type="checkbox"/> ACTIVE RESISTANCE (pushing, pulling or running away from the officer to avoid control; not attempting to harm the officer) <input type="checkbox"/> ASSAULTIVE BEHAVIOR (physical actions of assault) <input type="checkbox"/> AGGRAVATED ACTIVE AGGRESSION (potential injury or death)				
LAW ENFORCEMENT TOOL/TECHNIQUE USED TO GAIN COMPLIANCE OR OVERCOME RESISTANCE (CHECK ALL THAT APPLY) <input checked="" type="checkbox"/> Verbal Commands: Relax your hands, Relax your hands or you could get hurt <input checked="" type="checkbox"/> Empty Hand Control <input checked="" type="checkbox"/> Grab, Push, Pull, or Body Weight <input checked="" type="checkbox"/> Control Hold (Duration: 2 minutes) <input checked="" type="checkbox"/> Pressure Point (Duration: 15 seconds) (# of Contacts: 1) <input type="checkbox"/> Strike (Body part used:) (# of Contacts:) <input type="checkbox"/> Takedown Type: _____ <input type="checkbox"/> Carotid (Rendered Unconscious? <input type="checkbox"/> Yes <input type="checkbox"/> No) (Duration:) <input type="checkbox"/> Tool/Device/Weapon <input type="checkbox"/> OC Agent (Duration:) (# of Contacts:) <input type="checkbox"/> Decontaminated <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Cord Cuff Restraint Device (Duration:) <input type="checkbox"/> Impact Weapon (# of Contacts:) Type: _____ <input type="checkbox"/> Canine (Duration:) (# of Contacts:) <input type="checkbox"/> Vehicle/Forcible Stop <input type="checkbox"/> Weapon Pointed at Subject (Duration:) Type: _____ <input type="checkbox"/> Spit Sock (Duration:) <input type="checkbox"/> Pro-Strait Chair <input type="checkbox"/> Tactical Shield <input type="checkbox"/> WRAP <input type="checkbox"/> Less-Lethal Weapon System <input type="checkbox"/> PepperBall - OC Powder <input type="checkbox"/> PepperBall - Water <input type="checkbox"/> 37 mm Rifle - Standard <input type="checkbox"/> 37 mm Rifle - Low Energy <input type="checkbox"/> 40 mm Rifle - Bean Bag <input type="checkbox"/> 40 mm Rifle - Sponge <input type="checkbox"/> Taser - Probes <input type="checkbox"/> Taser - Drive Stuns <input type="checkbox"/> Stingball Grenade <input type="checkbox"/> Sound/Light device <input type="checkbox"/> 12-Gauge Super Sock <input type="checkbox"/> Ultron/NOVA Shield <input type="checkbox"/> REACT Belt <input type="checkbox"/> Firearm <input type="checkbox"/> Type: _____ <input type="checkbox"/> Other: _____				
WAS INITIAL USE OF FORCE EFFECTIVE? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
WAS ADDITIONAL CONTROL OR FORCE NEEDED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
SUBJECT INJURED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		EXTENT OF TREATMENT <input type="checkbox"/> None <input type="checkbox"/> Treated at hospital <input type="checkbox"/> Treated at scene <input checked="" type="checkbox"/> Hospitalized <input type="checkbox"/> Refused treatment		
OFFICER(S) INJURED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		EXTENT OF TREATMENT <input type="checkbox"/> None <input checked="" type="checkbox"/> Treated at hospital <input type="checkbox"/> Treated at scene <input type="checkbox"/> Hospitalized <input type="checkbox"/> Refused treatment		
SUBJECT INJURY DESCRIPTION		OFFICER INJURY DESCRIPTION		
OTHER FORCE USED/COMMENTS/EQUIPMENT PERFORMANCE:				
SERGEANT		ARJIS	DATE	
LIEUTENANT		ARJIS	DATE	
CAPTAIN		ARJIS	DATE	
 MARK FIGURE TO INDICATE CONTACT POINT(S)				



San Diego County Sheriff's Department

Use of Force Supplemental

Use of Force Supplemental Instructions

Lines 1 & 3: Fill in the blanks.

Line 2: If the suspect was committing a crime and force was used to stop or apprehend the subject, document the appropriate penal code. If the UOF occurred in the performance of the officer's duties, document the incident description, i.e. officer transport, officer escort, making arrest, detaining suspect, cell extraction etc.

Primary Reason for Using Force: Check appropriate box(s).

Subject Appeared To Be: Check if applicable.

Number of Officers on Scene: List number of officers present.

Number of Officers Using Force: List number of officers that used force.

Level(s) of Resistance Encountered: Check appropriate box(s).

L.E. Tool/Technique Used: Check appropriate box(s). If known and/or applicable, include duration (approximate length of time) tool/technique was used. If known and/or applicable, include the number of contacts (approximate number of strikes, impacts, etc.) when requested on form.

Was Initial Use of Force Effective? If initial force used was effective, check "Yes." If initial force used was ineffective and additional force was necessary, check "No."

Was Additional Control or Force Needed: If initial force used was ineffective and additional force was necessary, check "Yes." If initial force used was effective, check "No."

Target Distance: If applicable (refers primarily to less lethal weapon systems), approximate distance or provide range (i.e. 7-15 feet, 15-20 yards, etc.) from subject during application of force.

Subject Injured: Check "Yes" if medically treated for injury sustained as a possible result of force applied by a officer(s) – does not include previous injuries suffered prior to officer contact. Check "No" if subject was not injured or simply complains of injury/pain suffered as a result of force applied by an officer(s) and refuses medical attention. Any complaints of pain shall be documented in the use of force report narrative (whenever any physical force used by a officer results in a complaint of injury or an injury that necessitates medical treatment of a subject, a supervisor will be notified immediately).

Extent of Treatment: Check appropriate box. Check none if subject was evaluated and no treatment was required. Specifically, check "Treated at Scene" if subject was treated at scene by EMS for injuries that may have resulted due to force applied by officer(s). Check "Treated at Hospital" if subject was transported to hospital for treatment of injuries that may have been sustained as an apparent result of force applied by officer(s). Check "Hospitalized" if subject was admitted to the Hospital as a result of injuries that were sustained as a result of force applied by officer(s).

Officer Injured: Check appropriate box (see above).

Extent of Treatment: Check appropriate box. Check none if officer was evaluated and no treatment was required. Specifically, check "Treated at Scene" if officer was treated at scene by EMS for injuries. Check "Treated at Hospital" if officer was transported to hospital for treatment of injuries. Check "Hospitalized" if officer was admitted to the Hospital as a result of injuries.

Other Force Used/Comments/Equipment Performance: This section can be used to document other force options not listed on the form; relevant comments about the incident such as complaints of pain/injury (room permitting) and negative/positive comments regarding equipment performance.

Mark Figure to Indicate Contact Points: When applicable, mark the areas on the figure where applied force contacted the subject's body.

Sergeant: Sign, list ARJIS number and date reviewed.

Lieutenant: Sign, list ARJIS number and date reviewed.

Captain: Sign, list ARJIS number and date reviewed.



San Diego County Sheriff's Department Evidence Report

Case No: **18145951**Evidence Sheet No: **001****1**

Page 1 of 1

GENERAL CASE INFORMATION

REPORTING AGENCY: SH - Sheriff				
CALL FOR SERVICE NUMBER (CAD) E5208131	OFFENSE TYPE: 148 (A)(1) - PC - OBSTRUCT/RESIST PEACE OFCR/EMER MED TECH (M)	DIVISION: RSD - Rancho San Diego Station	BILLING CODE: SDSO - SD Sheriff's Office	SEARCH WARRANT NUMBER:
DATE OF INCIDENT: 9/5/2018 9:02:00 AM	INCIDENT LOCATION (CITY, STATE, ZIP): 661 Sweetwater Rd Spring Valley, CA 91977			KEY CASE NUMBER:
REPORTING OFFICER: SH0255 - GASPAS, NICHOLAS		ID: SH0255	DIVISION: Rancho San Diego Station	
ASSIGNED DETECTIVE: SH0890 - ADAMS, ZACHARIAH		ID: SH0890	DIVISION: Rancho San Diego Station	

OUTSIDE AGENCY

OA CASE NUMBER:	AGENCY NAME:	ASSIGNED DETECTIVE:	CONTACT PHONE:
	AGENCY ADDRESS (CITY, STATE, ZIP):		

INVOLVED PEOPLE

AFFILIATION: A1	NAME (Last, First, Middle): Malben, Anthony Edward	DOB: (b)(5)(A)	AGE: 31	SEX: M - Male	RACE: W - White
	HOME ADDRESS (CITY, STATE, ZIP): (b)(5)(A)		HOME PHONE:		

EVIDENCE INFORMATION SECTION

FIN 1.1	OA Item/TAG #	PROPERTY DESCRIPTION:	
		CD with Photos	
VALUE:	QUANTITY:	MAKE / MANUFACTURER:	MODEL:
	1		
CALIBER:	SERIAL NUMBER:	PROPERTY TYPE:	
		1311 - Recording - Interview or Case related - Video/Photo CD, DVD, Tape, Film, Digital storage, Negative	
PROPERTY STATUS:		SEARCH WARRANT:	
ES - Evidence (Seized)			
PROPERTY DISPOSITION:		DATE/TIME RECVRD / SEIZED:	CSI PFIN
Stored		9/5/2018 9:30:00 AM	
DRUG TYPE:		DRUG QUANTITY:	DRUG MEASURE:
NOTES:			



FIN 1.2	OA Item/TAG #	PROPERTY DESCRIPTION:	
		Blue backpack with misc items	
VALUE:	QUANTITY:	MAKE / MANUFACTURER:	MODEL:
	0		
CALIBER:	SERIAL NUMBER:	PROPERTY TYPE:	
		2401 - Backpack	
PROPERTY STATUS:		SEARCH WARRANT:	
ES - Evidence (Seized)			
PROPERTY DISPOSITION:		DATE/TIME RECVRD / SEIZED:	CSI PFIN
Disposed		9/5/2018 9:30:00 AM	
RELATED PERSON:	RELATION TYPE:	FWTC:	
Malben, Anthony Edward	PS - Possessor	N - No	
DRUG TYPE:		DRUG QUANTITY:	DRUG MEASURE:
NOTES:			





San Diego County Sheriff's Department Evidence Report

Case No: **18145951**Evidence Sheet No: **002****1**

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GENERAL CASE INFORMATION

REPORTING AGENCY:

SH - Sheriff

CALL FOR SERVICE NUMBER (CAD)

E5208131

OFFENSE TYPE:

**148 (A)(1) - PC - OBSTRUCT/RESIST
PEACE OFCR/EMER MED TECH (M)**

DIVISION:

**EVD - Property
& Evidence Unit**

BILLING CODE:

**SDSO - SD
Sheriff's Office**

SEARCH WARRANT NUMBER:

DATE OF INCIDENT:

9/5/2018 9:02:00 AM

INCIDENT LOCATION (CITY, STATE, ZIP):

661 Sweetwater Rd Spring Valley, CA 91977

KEY CASE NUMBER:

REPORTING OFFICER:

SH7342 - NULTON, KEVIN

ID:

SH7342

DIVISION:

Alpine Station

ASSIGNED DETECTIVE:

SH0890 - ADAMS, ZACHARIAH

ID:

SH0890

DIVISION:

Rancho San Diego Station**OUTSIDE AGENCY**

OA CASE NUMBER:

AGENCY NAME:

ASSIGNED DETECTIVE:

CONTACT PHONE:

AGENCY ADDRESS (CITY, STATE, ZIP):

INVOLVED PEOPLE**EVIDENCE INFORMATION SECTION**

FIN 2.1	OA Item/TAG #	PROPERTY DESCRIPTION: US Curr (derived from S0039406)	
VALUE: \$0.49	QUANTITY: 23	MAKE / MANUFACTURER:	MODEL:
CALIBER:	SERIAL NUMBER:	PROPERTY TYPE: 2102 - US Currency - Bills, Coins	
PROPERTY STATUS: ES - Evidence (Seized)		SEARCH WARRANT:	
PROPERTY DISPOSITION: Stored		DATE/TIME RECD / SEIZED: 4/2/2019 6:36:00 AM	CSI
DRUG TYPE:		DRUG QUANTITY:	DRUG MEASURE:
NOTES:			

*** S 0 1 0 0 9 8 9 ***



San Diego County SHERIFF'S DEPARTMENT

SAFEKEEPING PROPERTY NOTIFICATION AND RELEASE FORM

CASE NUMBER: 18145751

NAME:

ANTHONY MALBEN

ADDRESS:

(b)(5)(A)

CITY/STATE/ZIP:

Your property is being held for safekeeping. To have it returned, you must contact the station or facility indicated below Monday thru Friday, 8 AM thru 5 PM, to schedule an appointment for release. The property will only be released to the above named individual with this form and valid picture identification. If you are in custody and need to send someone on your behalf, a completed form J-54 Outgoing Property Receipt must accompany this form. **Failure to claim this property within 60 days will result in disposal according to law per Civil Code 2080.10.** If you are in custody, you may write the Property & Evidence Unit at the address listed below to request an additional 10 months of safekeeping. The request must be received within 60 days from the date of this notice.

PROPERTY LIST	
BARCODE IDENTIFIER	ITEM DESCRIPTION
	<u>BLUE BACKPACK w/ MISC. ITEMS</u>

SHERIFF'S STATION / FACILITY	ADDRESS	PHONE
<input type="checkbox"/> Alpine Station	2751 Alpine Blvd, Alpine	(619) 659-2600
<input type="checkbox"/> Encinitas Station	175 N. El Camino Real, Encinitas	(760) 966-3500
<input type="checkbox"/> Imperial Beach Station	845 Imperial Beach Blvd., Imperial Beach	(619) 498-2400
<input type="checkbox"/> Lemon Grove Station	3240 Main Street, Lemon Grove	(619) 337-2000
<input type="checkbox"/> Poway Station	13100 Bowron Road, Poway	(858) 513-2800
<input type="checkbox"/> Property & Evidence Unit	5255 Mount Etna Drive, San Diego 92115	(858) 467-4464
<input type="checkbox"/> San Marcos Station	182 Santar Place, San Marcos	(760) 510-5200
<input type="checkbox"/> Santee Station	8811 Cuyamaca Street, Santee	(619) 956-4000
<input type="checkbox"/> Vista Station	325 South Melrose, Vista	(760) 940-4551
<input checked="" type="checkbox"/> Other: <u>PSD</u>	<u>11486 Campo Rd.</u>	

I have read this notice and understand
how to claim my property:

Signature: UNABLE TO SIGN

Date: 9/5/18

Note: Do NOT use this form for firearm confiscation or for illegal and contraband items.

Signature of deputy authorizing release: N. GALT

ARJIS: 0155

Date: 9/5/18

Property received by:	Property released by:
Signature: _____	Signature: _____ ARJIS: _____
Identification: _____	Date: _____ Time: _____







































